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REMARKS

Claims 1-14 were pending and considered. Claims 3-6, 12, 13 were allowed and claims 1,2, 7-11 and 14 were rejected. In response, Applicants respectfully request entry of this amendment after final rejection, in which amendments to claims 1 and 10 are requested. Following entry of this amendment claims 1-14 will remain pending. Entry of the amendment, reconsideration and allowance are respectfully requested.

Applicants gratefully acknowledge the Examiner's indication that claims 3-6, 12 and 13 are allowed.

Claims 1, 2, 7-11 and 14 have been rejected under 35 U.S.C. § 102(b) as being anticipated by US patent 5,677,716 (Cleveland). In response, Applicants request that claims 1 and 10 be amended. According, Applicants respectfully submit that claims 1-2, 7-11 and 14 now recite an invention patentable over the prior art and should be allowed.

The Examiner's analysis of Cleveland as it applies to the pending claims is the same as in the previous Office Action. Thus, Applicants respectfully incorporate herein and direct attention to the comments and arguments made in the previous amendment regarding the teaching of Cleveland. Rather than merely repeating the comments and analysis made previously, Applicants will instead respond to the statements made by the Examiner in the section of the office action subtitled "Response to Arguments". It is that portion of the Office Action in which the Examiner explains why the Applicants' previous arguments were not deemed persuasive. It is also where the Examiner succinctly identifies differences between the Examiner and Applicants in their analysis and interpretation of Cleveland. Consequently, Applicants believe arguments are best directed to those specific statements made by the Examiner.

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The Examiner first directed attention to several claim interpretation rules from MPEP 2111, including that the claims must be given their broadest reasonable interpretation consistent with the description, and that the claims must be interpreted in light of the specification without reading limitations into the claim. The Examiner then states an opinion that Applicants are improperly trying to narrow the scope of the claimed invention. Applicants respectfully submit that the arguments in the previous amendment were based on limitations contained in the claims themselves. While references were made to certain descriptions in the specification, those descriptions were merely provided in support of the limitations found in the claims. Applicants specifically identified and quoted limitations in the claims which clearly differ from the teaching of Cleveland, as will be summarized again later herein.

The Examiner has identified the manner in which Applicants and the Examiner disagree on the interpretation of Cleveland. In the Examiner's words,

"The Examiner, broadly interprets advancing the sheet half the normal distance as a minimum reliable advance distance. Note that Cleveland does not disclose advancing the sheet half the normal advance distance on a whim. Cleveland specifically discloses this half distance advancement for the purpose and solution of overcoming end of page advancement errors." (Office Action, page 6, lines 18-22)

Applicants respectfully submit that the Examiner has provided no basis in the teaching of Cleveland (or of other references) for the Examiner's interpretation that advancing the sheet half the normal distance is a "fixed minimum reliable move amount", as defined in Applicants' claims. Applicants' definition of a fixed minimum reliable move amount is stated in claims 1 and 10 as follows:

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... (a) printer having equipment for advancing the medium which requires a minimum distance the print medium must be moved in an advance direction to overcome advancement errors associated with the equipment for advancing the medium, to thereby move the medium a reliable distance,

...  
... said fixed minimum reliable move amount being equal to said minimum distance the print medium must be moved to overcome advancement errors associated with the equipment for advancing the medium and less than said predetermined amount (Emphasis added.)

Cleveland's teaching to reduce the advance distance by one half is a shorter distance, and it may (or may not) be a reliable move distance. However, there is no basis for a conclusion that it is the minimum distance that the medium must be moved to overcome advancement errors associated with the equipment for advancing the medium, as recited in claims 1 and 10. At best it may be a shorter reliable distance, but there is no support for an interpretation that it is the fixed minimum reliable move distance.

Applicants have not suggested that Cleveland's teaching of advancing the sheet half the normal distance is proposed on a whim. Even if Cleveland attempts to address the same problem as Applicants, that alone does not render Applicants invention unpatentable as it is recited in pending claims 1 and 10. Applicants respectfully submit that Cleveland suggests one idea for addressing the problem of printing errors at the end of a sheet, and Applicants suggest a different solution to the same problem. Clearly, two separate and distinct inventions can address the same problem.

The Examiner states that Applicants have not explicitly defined what is meant by a minimum reliable move amount. Applicants respectfully disagree. Claims 1 and 10 specifically define what a minimum reliable move amount is. As previously written, claims 1 and 11 stated: "said minimum reliable move amount being equal to said minimum distance", and in the

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preamble of each the minimum distance was stated to be the distance which "the print medium must be moved in an advanced direction to overcome advancement errors associated with equipment for advancing the medium, to thereby move the medium a reliable distance."

The Examiner has suggested that it is necessary for Applicants to recite a distance in numerical terms, to explicitly define a minimum reliable move amount. The Examiner states, "...the applicant has not explicitly defined what is meant by a minimum reliable move amount. Specifically, no concrete numbers are (sic) measurements have been given." Applicants respectfully submit that reciting a specific numerical value is not required, and to do so would be unduly limiting of the invention, since the minimum reliable move amount is dependent upon the mechanical structure of the printer. Instead, Applicants have provided a clear definition of a minimum reliable move amount by defining in words what the term means. It is that minimum distance which medium must be moved in the printing device so that the distance moved is a reliable distance. This is a fixed amount that depends upon the equipment within the printer. It does not vary with the different printing modes being used, as does the teaching of Cleveland.

To further emphasize this definition, the language of the preamble in each claim 1 and claim 10 has now been incorporated in the specific steps of the method, as quoted above. Each claim 1 and claim 10 now recites a method that includes a step of:

advancing the print medium in said advance direction a fixed minimum reliable move amount during a second advancing step ... said fixed minimum reliable move amount being equal to said minimum distance the print medium must be moved to overcome advancement errors associated with the equipment for advancing the medium and less than said predetermined amount;

Thus, Applicants respectfully submit that each of claims 1 and 10 clearly provides a definition of what a minimum reliable move amount is.

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In the present invention the minimum reliable move amount may not be the same in one printing device as in another printing device. Applicants are not required to provide a laundry list of what the minimum reliable move amount is in every possible printing device to which the present invention will apply. Instead, Applicants have defined what a minimum reliable move amount is in relationship to a printing device in which the invention is applied.

The Examiner has admitted that the half distance movement taught by Cleveland "might not be the minimum by applicants' standards." However, the Examiner reached an erroneous conclusion that "applicants standards of 'minimum' were never claimed in concrete terms." As argued above, Applicants respectfully submit that the definition of a minimum reliable move amount was and is clearly contained in each claim.

In summary, Cleveland merely suggests moving the sheet one-half the normal distance. The amount of the modification is determined by the print mode in use. One-half the normal distance may be less than or even greater than the minimum reliable move amount required to advance the sheet reliably, as that term is defined in Applicants' pending claims. In contrast, Applicants' invention uses the fixed minimum reliable move amount to advance the print medium to obtain more accurate printing at the end of the print area. Applicants' novel approach, as recited in claims 1 and 10, is to adjust sheet advancement based on the physical capabilities of the printing device being used. The Examiner has acknowledged the more accurate printing available through Applicants' invention.

The Examiner states that Applicants are improperly narrowing the concept of "fixed". Applicants respectfully submit they are merely applying their definition of "fixed minimum reliable move amount." The entire phrase, not just a single word in the phrase should be interpreted. Cleveland's approach is to adjust printing based on the mode of printing. Whether or

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not the amount in Cleveland is "fixed", it is not a "fixed minimum reliable move amount ...equal to said minimum distance the print medium must be moved to overcome advancement errors associated with the equipment for advancing the medium" as recited in claims 1 and 10.

Applicants respectfully submit that claims 1 and 10 recite an invention neither taught nor suggested by Cleveland and should be allowed. Claims 2 and 7-9 depend from claim 1, and claims 11 and 14 depend from claim 10. Accordingly, each includes the limitations of the independent claim from which they depend while aiding further specificity to the invention recited therein. Accordingly, Applicants respectfully submit that claims 2, 7-9, 11 and 14 are also allowable.

For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request entry of this amendment, withdrawal of all rejections and allowance of the claims.

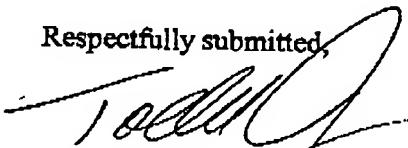
In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095,  
**TAYLOR & AUST, P.C.**

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Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office, on: January 18, 2005.

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January 18, 2005  
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